



**US Army Corps
of Engineers.**

Nashville District

Public Notice

Public Notice No. 05-73

Date: September 19, 2005

Application No. 2002-00017

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
TENNESSEE VALLEY AUTHORITY

SUBJECT: Readvertisement of Proposed Commercial Marina Expansion, Excavation, and Fill, Laurel Marina and Yacht Club, Inc., South Fork Holston River Mile 56.5 R, South Holston Reservoir, in Sullivan County, Tennessee

ATTENTION TO COMMENTERS: This proposal is being readvertised due to a significant change in the proposal that may affect the public's view of the proposal. Previous comments on proposal PN 05-14 will not be considered due to the significant change proposed by the applicant. If you have concerns that you wish to express after reviewing this revised proposal, you will need to submit your written comments to the above address during the comment period.

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344)** and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act (16 USC 831y-1)**. Before a permit can be issued, certification must be provided by the State of Tennessee, Division of Water Pollution Control (TDEC), pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. The applicant has applied separately to TDEC for the required certification.

APPLICANT: Dalie T. Thomas
Laurel Marina and Yacht Club, Inc.
191 Shady Ford Road
Bristol, TN 37620

LOCATION: Mile 56.5, South Fork Holston River, in Sullivan County, TN, South Holston Lake, Coordinates: N 36-33-27, W 82-3-14 (Holston Valley USGS Quadrangle)

BACKGROUND: Public Notice 02-12 was issued April 19, 2002, for the applicant's original proposal. A joint public hearing was held by TVA and U.S. Forest Service in response to

comments received during the Public Notice comment period. Mr. Thomas withdrew his request on July 31, 2003, resulting from public land usage issues with the U.S. Forest Service. A second Public Notice 05-14 (http://www.lrn.usace.army.mil/cof/proposed_activities.htm) was issued on March 16, 2005, advertising the proposed work listed below. This third notice is being issued to advise the general public that the applicant has reduced the proposed number of slips by 82 slips.

DESCRIPTION: The applicant is proposing to expand the existing commercial harbor limits and marina facilities at Laurel Marina and Yacht Club on South Fork Holston Reservoir.

a. The applicant proposes the construction of floating boat slips (181 boat slips and 30 houseboats slips). The size and configuration of the proposed docks relative to the shoreline at this location is included in plans accompanying this notice. Slips would be constructed of metal framing and wood decking. Covered slips would have metal roofing. Flotation would consist of foam filled polystyrene. Structure 4 would occur outside the applicant's current authorized harbor limits.

b. In order to accommodate parking for the new facilities, the applicant proposes to place approximately 58,284 cubic yards (CY) of fill material below Normal Summer Pool (NSP) Elevation 1729.0 in area 1. This material would come from excavation conducted below elevation 1747 at grading areas 1, 2, and 3 as shown in the attached plans. Additional fill of 20,886 cubic yards would be placed between NSP elevation of 1729.0 and elevation 1747.0 for the proposed parking area. The fill placed above NSP would not require Department of the Army authorization. To mitigate for the shallow water habitat loss at the proposed fill site, the applicant proposes to construct various types of fish habitat structures. Excavation from grading areas 2 and 3 would create additional shallow water habitat.

c. The Tennessee Valley Authority (TVA) would evaluate the applicant's request for the expansion of authorized harbor limits for the marina and associated facilities under Section 26a of the TVA act.

The applicant has reduced the requested number of slips associated with this proposal. Listed below are the original request and the reduced (proposed) number of slips.

Slips:	Original	Current	Change
Pleasure Boats	213	181	-32
Large House Boats	66	30	-36
Small House/Sail Boats	14	0	-14
Total	293	211	-82

Plans of the revised proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. An archaeological survey conducted by the U. S. Forest Service for the original proposal identified one historic site that is within the area of potential effect of the current proposal. This site is regarded as potentially eligible for listing in the National Register of Historic Places pending further evaluation. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of

formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

- a. Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts. TVA would also review and expansion of harbor limits.
- b. Water quality certification from the State Tennessee, in accordance with Section 401(a)(1) of the Clean Water Act for the placement of fill material below El. 1729.
- c. The U.S. Forest Service has determined that a permit is not required for the applicant's revised request.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before October 19, 2005, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Carl Olsen, at the above address, telephone (615) 369-7513. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to:

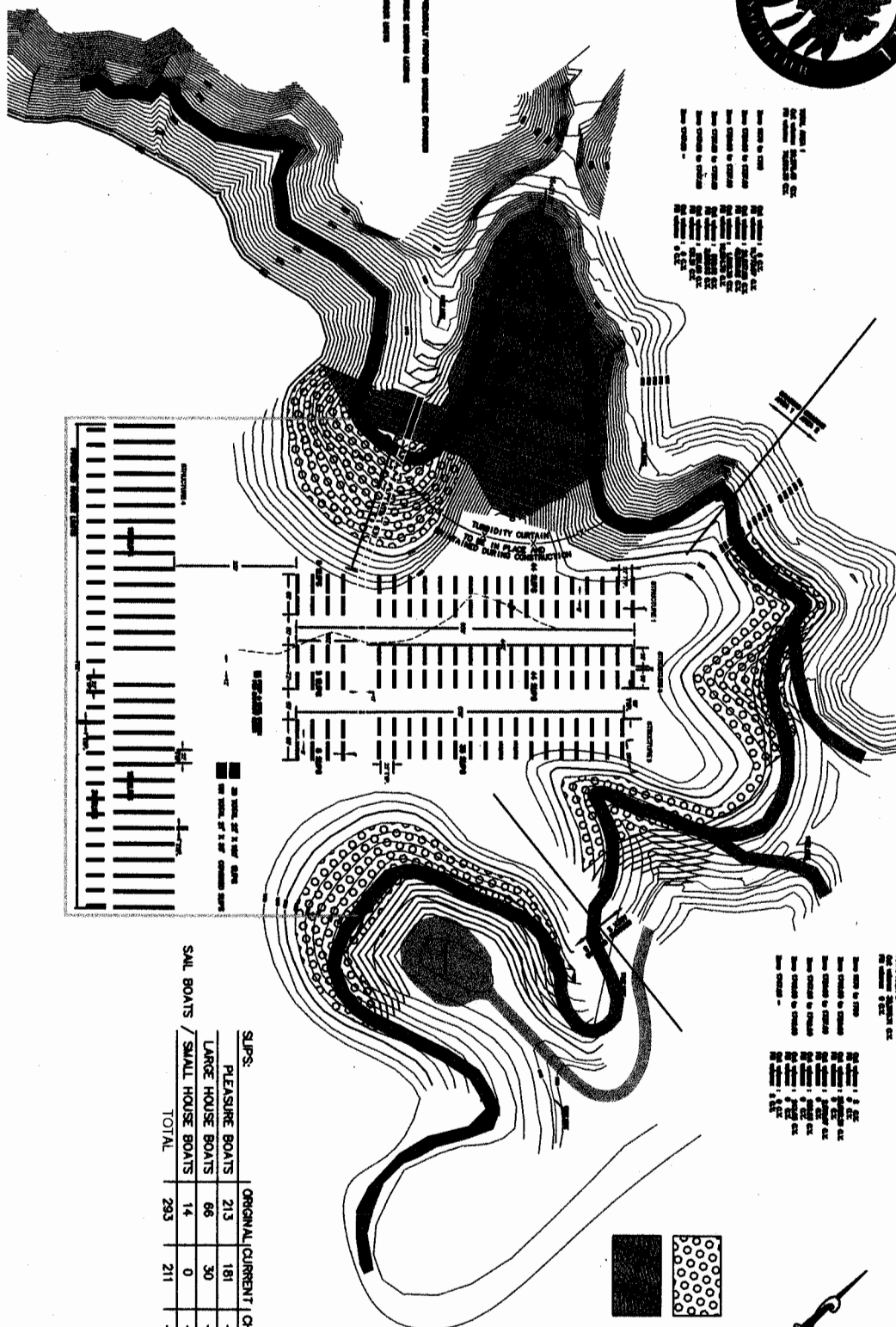
Ms. Anne Patrick
TVA
106 Tri-Cities Business Park Drive
Gray, Tennessee 37615
423-467-3809 awpatrick@tva.gov



USGS
HOLSTON VALLEY, TENN.

PN 05-73

File No. 200200017

[illegible]

SUPS.	ORIGINAL	CURRENT	CHANGE
PLEASURE BOATS	213	181	-32
LARGE HOUSE BOATS	66	30	-36
SMALL HOUSE BOATS	14	0	-14
TOTAL	293	211	-82

PENDING NUMBER 0074
 001300 00 10
 001300 0010
 001300

PENDING NUMBER 0074
 001300 00 10
 001300 0010
 001300

LAUREL MARINA & YACHT CLUB

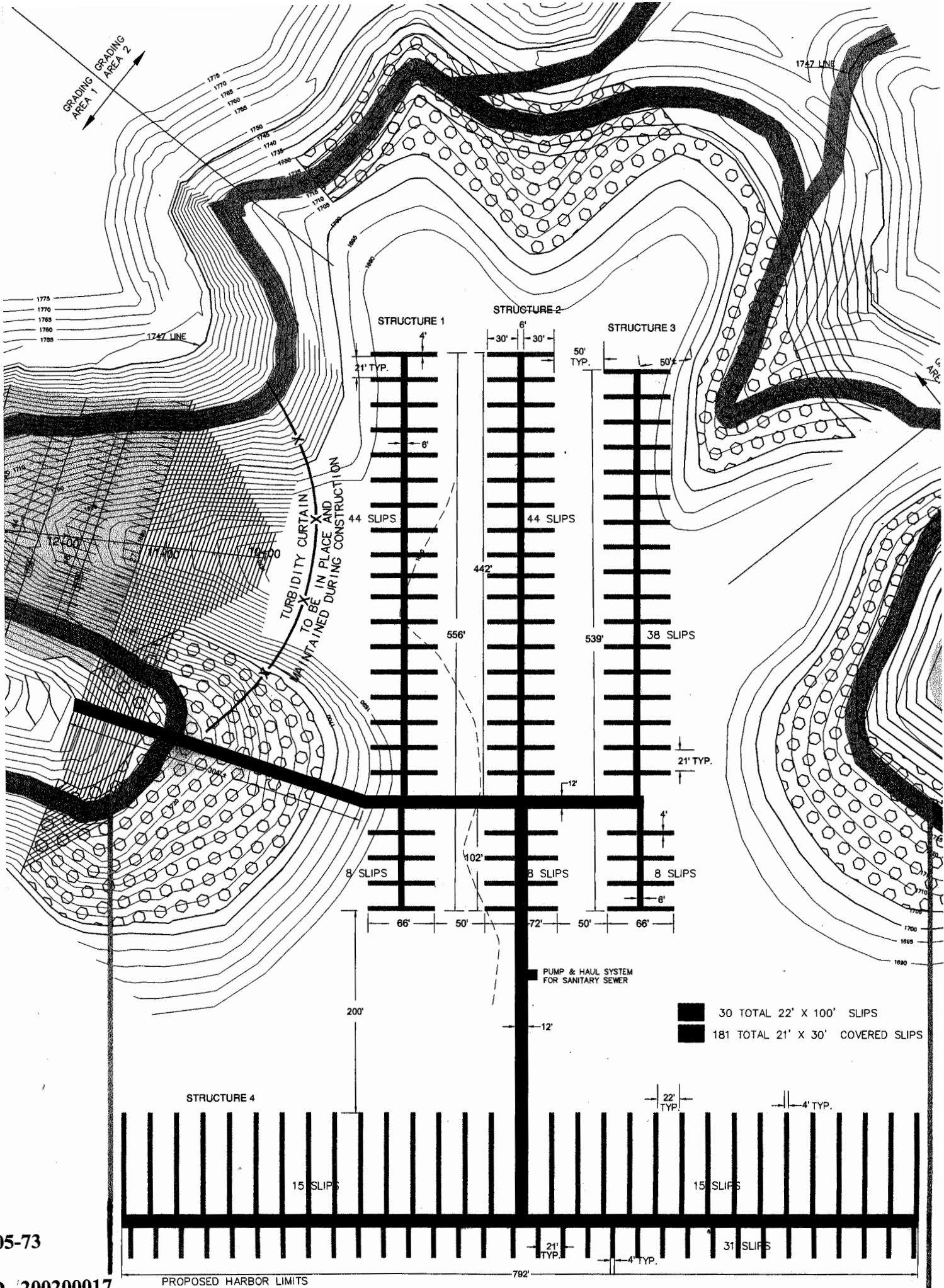
KING'S COVE II

THE TRACT AND KIM-1 (204-270)
SOUTH PARK WILSON POWER
MAIL 37.2 TO 37.7

HOLBROOK SURVEYORS	
1610 24th STREET PACIFIC PALMS SPRING CALIF 90630-0000	
LAUREL MARTINA YACHT CLUB	PLAZA 1000 MIRAGE COURT 2
10000 10th STREET LOS ANGELES CALIF 90024-0000	10000 10th STREET LOS ANGELES CALIF 90024-0000

PN NO. 05-73

FILE NO. 200200017



TOTAL AREA 2
 Cut volume: 30,390.71 C.Y.
 Fill volume: 0 C.Y.

Zone 1670 to 1700
 Zone 1700.00 to 1725.00
 Zone 1725.00 to 1737.00
 Zone 1737.00 to 1742.00
 Zone 1742.00 to 1747.00
 Zone 1747.00 -

Cut volume: 0 C.Y.
 Fill volume: 3,460.07 C.Y.
 Cut volume: 0 C.Y.
 Fill volume: 3,460.07 C.Y.
 Cut volume: 0 C.Y.
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 Cut volume: 0 C.Y.
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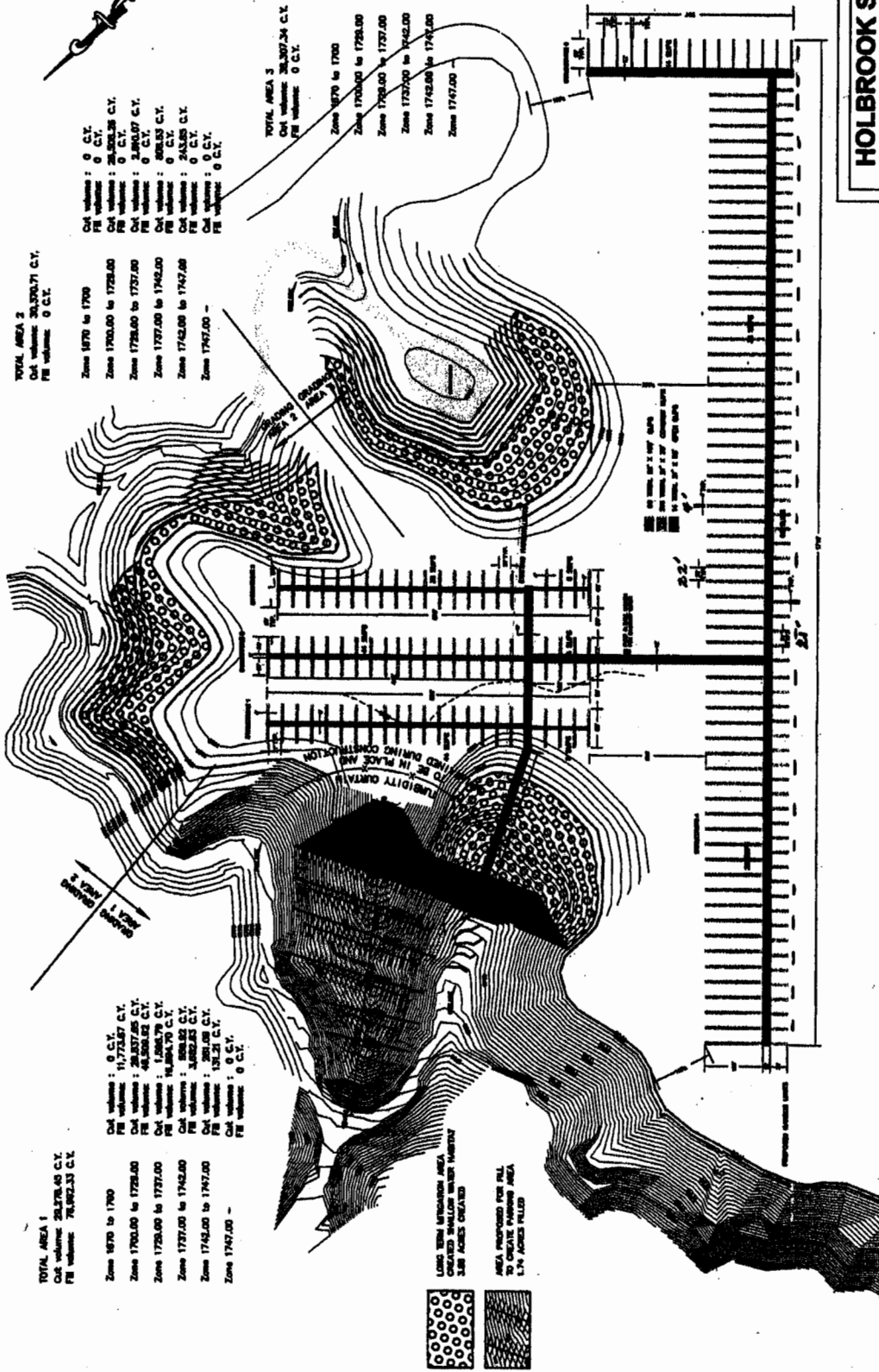
TOTAL AREA 3
 Cut volume: 38,307.34 C.Y.
 Fill volume: 0 C.Y.

Zone 1670 to 1700
 Zone 1700.00 to 1725.00
 Zone 1725.00 to 1737.00
 Zone 1737.00 to 1742.00
 Zone 1742.00 to 1747.00
 Zone 1747.00 -

Cut volume: 0 C.Y.
 Fill volume: 3,460.07 C.Y.
 Cut volume: 0 C.Y.
 Fill volume: 3,460.07 C.Y.
 Cut volume: 0 C.Y.
 Fill volume: 3,460.07 C.Y.
 Cut volume: 0 C.Y.
 Fill volume: 3,460.07 C.Y.
 Cut volume: 0 C.Y.
 Fill volume: 3,460.07 C.Y.

EXISTING HARBOR AREA
 523,281 SQ. FT.
 12,012 ACRES
 @ 1725

PROPOSED HARBOR AREA
 1,048,790 SQ. FT.
 23,872 ACRES
 @ 1725



TVA TRACT NO. XTSH-1 (SH-370)
 SOUTH FORK HOLSTON RIVER
 MILE 57.2 TO 57.7

PN 05-14
 FILE NO. 200200017
 PREVIOUS NOTICE

LAUREL MARINA & YACHT CLUB

KING'S COVE II

HOLBROOK SURVEYORS	
115 SOLAR STREET BRISTOL, VIRGINIA 24201 (276) 669-6635	
LAUREL MARINA & YACHT CLUB	
DESIGNED BY	PLAN VIEW
DATE	KING'S COVE II
APPROVED BY	DATE
SCALE	1 INCH = 80 FT.
DRAWN BY	
CHECKED BY	
DATE	

MARCH 16, 2005 PROPOSAL